

UNITED STATES DISTRICT COURT
THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA) CRIMINAL NO.04-CR10166(RGS)
)
)
V.)
)
DAVID CARL ARNDT)
AND)
DONALD BING MCGILVRAY)

**MOTION TO CONTINUE SENTENCING OF
DEFENDANT, DONALD BING McGILVRAY**

Now COMES the Defendant, Donald Bing McGilvray and moves this Court to continue his sentencing to a date at least two weeks after the sentencing of Co-Defendant David Carl Arndt. In support thereof, the Defendant says:

1. For reasons set out in his previous Motions to Continue, it is appropriate to sentence this Defendant after the sentencing of Co-Defendant David Carl Arndt;
2. The sentencing of Co-Defendant David Carl Arndt has been continued pending the First Circuit decision in the United States v. German Narvaez-Rosario, No. 05-1355;
3. It is appropriate to continue the Defendant's sentencing which is currently scheduled for April 12, 2006 to an appropriate date after the sentencing of Co-Defendant David Carl Arndt;

WHEREFORE, the Defendant Donald Bing McGilvray requests this Court to schedule his sentencing at a reasonable time thereafter.

Respectfully submitted,
Defendant, Donald Bing McGilvray
By his attorney

/s/ Michael W. Reilly
Michael W. Reilly, Esq.
Tommasino & Tommasino
Two Center Plaza
Boston, MA 02108
(617) 723-1720
BBO#415900